



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,120	05/22/2001	Masaya Matsuura	397.31.01	9566
22242	7590	01/10/2006	EXAMINER	
FITCH EVEN TABIN AND FLANNERY			LU, TOM Y	
120 SOUTH LA SALLE STREET			ART UNIT	PAPER NUMBER
SUITE 1600			2621	
CHICAGO, IL 60603-3406				

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/863,120	MATSUURA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Tom Y. Lu	2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 November 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-13 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-13 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment and written response filed on 11/22/2005 has been entered and considered.
2. Claims 1, 6 and 9-13 have been amended.
3. Claims 14-18 have been cancelled.
4. Claims 1-13 are pending.

### ***Response to Arguments***

5. Applicant's arguments filed on 11/22/2005 have been fully considered but they are not persuasive.

The Masaaki reference:

Applicant argues the Masaaki reference does not teach the limitation of "a plurality of line drawing image pieces separate from each other". Upon further review of specification and in light of applicant's arguments, the examiner respectfully disagrees as follows: the Masaaki reference teaches a method of simulating actual deformation of objects in accordance with a physical rule in an animation environment. A line drawing image piece of cloth is shown in the figures. Although, the Masaaki reference does not explicitly show a plurality of line drawing image pieces in figures, it would have been obvious to a person of ordinary skill in the art to recognize two or more line drawing image objects can exist in an animation scene, for example, it could have been two pieces of curtains on a window, one on the left and one on the right. Both curtains deform naturally in accordance with the image processing steps proposed in the Masaaki reference. And the examiner notes the number of line drawing image pieces in instant applicant

Art Unit: 2621

is insignificant in the instant applicant, and should not be given any patentable weight. The focus of the invention should be on the simulation of the line drawing image pieces with imparting vibrations.

6. Upon entry of the amendment, the rejection of claims 9-13 under 35 U.S.C. 101 has been withdrawn.

***Priority***

7. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/687,650, filed on 10/13/2000.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masaaki (JP Patent No. 05101161 A. a copy of translation was mailed in previous office action dated 9/16/2005).

a. Referring to Claim 1, Masaaki discloses an image apparatus (see figure 1) comprising: means for generating a line drawing image (an example of line drawing image is shown in figure 6A, which is a line drawing image of cloth) comprising line drawing image pieces (the horizontal lines and vertical lines are the claim line drawing image pieces); means for imparting vibrations to each of said line drawing

image pieces to produce animation of the line drawing image (paragraph [0034]), random-number vectors are added to new coordinates to stimulate fluctuation of the line drawing image of cloth, which deforms as wave-like vibration as shown in figure 6B); and means for drawing vibrating line drawing image pieces in a memory (the drawing of the image deformation occurs in memory 4, see paragraph [0005]). Although, the Masaaki reference does not explicitly show a plurality of line drawing image pieces in figures, it would have been obvious to a person of ordinary skill in the art to recognize two or more line drawing image objects can exist in an animation scene, for example, it could have been two pieces of curtains on a window, one on the left and one on the right. Both curtains deform naturally in accordance with the image processing steps proposed in the Masaaki reference.

- b. Referring to Claim 2, Masaaki discloses wherein said line drawing image comprises a three-dimensional line drawing image (paragraph [0019]).
- c. Referring to Claim 3, Masaaki discloses wherein said means for imparting vibrations generates vibrations to each of said line drawing image pieces by adding a random number to each coordinate of vertices of polygons forming each of said line drawing image pieces in a three dimensional space (see paragraphs [0024] and [0034]).
- d. Referring to Claim 4, Masaaki discloses wherein said three-dimensional line drawing image drawn in said memory by said means for drawing is substantially linear image comprising vibrating line drawing image pieces horizontally extending substantially from the said to another said on a display screen (see figure 6B, the vertical lines are extended horizontally to another said).

- e. Referring to Claim 5, Masaaki discloses wherein a vibrating non-linear line drawing image is inserted in a part of said substantially linear image comprising vibrating line drawing image pieces (see figures 6C and 6D, some lines are substantially linear and some are not).
- f. With regard to Claim 6, see explanation in Claim 1.
- g. With regard to Claim 7, see explanation in Claim 2.
- h. With regard to Claim 8, see explanation in Claim 3.
- i. With regard to Claim 9, Masaaki discloses the apparatus is a computer-like device, which inherently contains a recording medium storing a program), the rest of limitations are addressed in Claim 1.
- j. With regard to Claim 10, see explanation of Claim 2.
- k. With regard to Claim 11, see explanation of Claim 3.
- l. With regard to Claim 12, see explanation of Claim 4.
- m. With regard to Claim 13, see explanation of Claim 5.

*Conclusion*

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2621

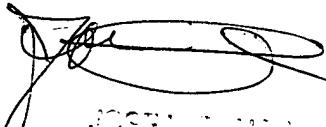
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Y. Lu whose telephone number is (571) 272-7393. The examiner can normally be reached on 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571)-272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tom Y. Lu



JOSEPH Y. LU  
PRIMARY EXAMINER